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Robert L. Olender *
James A. Koerner

*not admitted in MD

June 24, 2004

RECEIVED
JUN 24 2004
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Of Counsel
Robert Bennett Lubic*

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals, TW-A325
445 Twelfth Street, S.W.
Washington, DC 20554

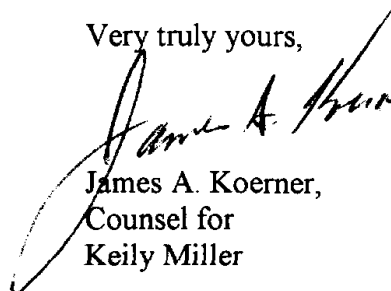
Re: MB Docket No. 04-164
RM-10548

Dear Ms. Dortch:

On behalf of Keily Miller, there are transmitted herewith an original and four (4) copies of her Comments and Counterproposals with respect to the above-referenced rulemaking proceeding.

Should additional information be necessary in connection with this matter, please communicate with this office.

Very truly yours,



James A. Koerner,
Counsel for
Keily Miller

Cc: Keily Miller

26256

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Before the
Federal Communications Commission
Washington, D.C. 20554

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RECEIVED

JUN 24 2004
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 04-164
Table of Allotments,)	RM-10548
FM Broadcast Stations.)	
(Susanville, Quincy, and Corning, California)	

COMMENTS AND COUNTERPROPOSAL

Keily Miller ("Miller"), by her attorneys, hereby submits her comments in the above-captioned rule making proceeding in response to the Notice of Proposed Rule Making and Order to Show Cause, DA 04-1198, released May 4, 2004 ("NPRM"), and advances a counterproposal to the proposed amendments to the FM Table of Allotments contained therein.

Miller is the licensee of Radio Station KHGQ, Facility ID No. 31618, presently operating on FM Channel 262A at Quincy, California. The NPRM proposes to substitute Channel 265A for Channel 262A at Quincy in order to accommodate Channel 262A at Susanville, California as its fourth FM allotment. Miller proposes to amend the FM Table of Allotments by reallocating Channel 262A from Quincy to Durham, California, as that community's first local aural broadcast service, and having the license for Station KHGQ modified accordingly.

In this counterproposal, Miller seeks to invoke the provisions of Section 1.420(i) of the Commission's rules which permits the modification of a station's authorization to

specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest. The engineering material attached hereto as Exhibit A demonstrates that the proposal advanced herein is mutually-exclusive with the current KHGQ authorization.

The priorities in FM allotments are governed by *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).¹ The NPRM asserts that the proposal advanced therein would provide Susanville with its fourth FM allotment, and its fifth local aural service. This clearly implicates priority (4). On the other hand, the counterproposal advanced by Miller herein would provide Durham with its first local service, bringing it under priority (3). This is a preferential arrangement of allotments.

The counterproposal advanced here would not deprive Quincy of its only radio station. Stations KPCO(AM) and KNLF(FM) provide commercial service, and there are two non-commercial educational stations, KJCQ(FM) and KQNC(FM).

The engineering material attached as Exhibit A demonstrates that this counterproposal meets all of the Commission's requirements with respect to minimum mileage separations and coverage of the proposed city of license.²

Durham also meets all of the requirements of a community for allotment purposes. Although unincorporated, Durham is a Census Designated Place, with a 2000 population of 5,220. Exhibit B hereto provides demographic information for the community. The U.S. Post Office, ZIP Code 95938, is located at 2396 Durham Dayton Highway, Durham.

¹ The allotment priorities are: (1) first full-time aural service; (2) second full-time aural service; (3) first local service and (4) other public interest matters [co-equal weight is given to priorities (2) and (3)].

² Reference coordinates for Channel 262A at Durham are 39-48-25 NL and 121-37-35 WL.

Located in Butte County, many of the governmental services, such as police protection, are provided by the county. However, Durham has its own volunteer fire department. Also, Durham has its own Unified School District consisting of Durham Elementary School (Grades K-5), Durham Intermediate School (Grades 6-8), and Durham High School (Grades 9-12). Mission High School is also located in Durham. In addition, Nutty Buddy Pre School is located at 9371 Midway, in Durham. The community also has its own public library.

Durham also has its own weekly newspaper, *The FORUM*. A copy of a recent issue is attached as Exhibit C.³

Places of worship in Durham include Assemblies of God Temple, Harvest Fellowship, Durham Community-United Faith, and Mid Valley Baptist Church.

Among the Durham commercial establishments advertising in *The FORUM* are The Worm Farm, C.W. Locksmithing, Family Dentistry, Tozier's True Value Hardware, Dempsey Automotive, Tri Counties Bank, Durham Family Chiropractic, Gus Gore & Sons, Inc. contracting, The Sewing Studio, Hodges Nursery, Parker's Corner, Durham Veterinary Clinic, and Dirty Dog's No More. Durham has other commercial establishments as well. As found in Netscape Yellow Pages, these include:

Knotty Pine Grill, Terry Ann's Kitchen & Pizza (restaurants)

R Video (video rental)

K W Enterprises, Vidovich Auto & Equipment Repair (auto repair)

Curves, Rock Mixed Martial Arts Training (health clubs)

Higgins Pest & Weed Control

³ The newspaper is actually tabloid size. However, for convenience in copying and filing, it has been reduced in size.

Jenn's Place, Bonnie B's Hair Fashions, Best Little Hair House in Town (hair salons)

Grandma Sue's For You Bookstore

Holiday Quality Foods, Durham Country Market (grocery stores)

In short, Durham has all of the attributes of a community, and a population many times that of other communities with FM allotments.⁴

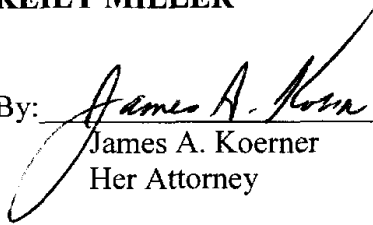
Keily Miller hereby states her intention to apply for the facility change here requested in the event this counterproposal is granted, and thereafter to construct and operate the station after grant of the application.

On the basis of the foregoing, it is respectfully requested that the Commission grant this counterproposal, reallocate Channel 262A from Quincy, California to Durham, California, and modify the license of Station KHGQ accordingly.

Respectfully submitted,

KEILY MILLER

By:


James A. Koerner
Her Attorney

June 24, 2004

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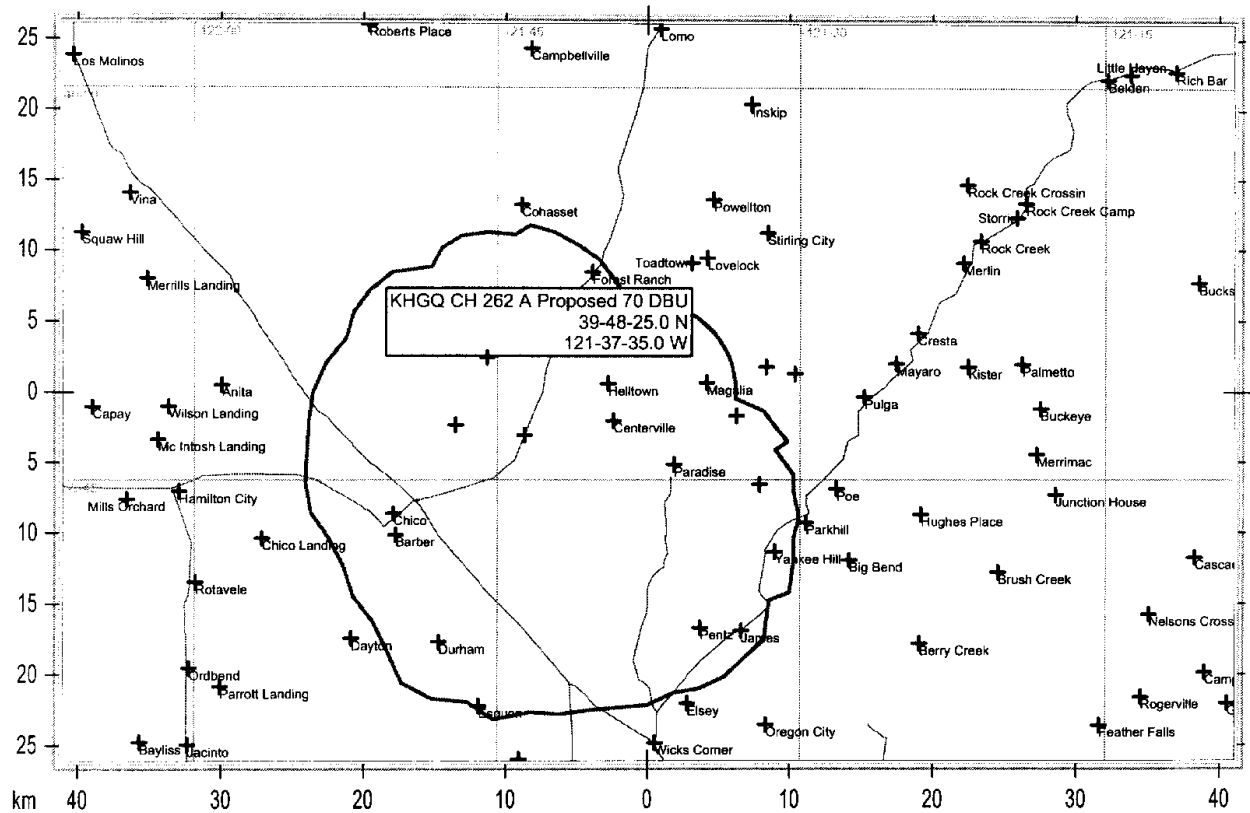
⁴ See, e.g., *Dexler, Georgia*, 19 FCC Rcd. 4614 (2004) (population 509); *Caledonia, Ohio*, 19 FCC Rcd. 3449 (2004) (population 578); *Dos Palos, Chualar and Big Sur, California*, 19 FCC Rcd. 1826 (2004) (Big Sur allotted a channel although unincorporated, not a Census Designated Place, with a population of about 1500); *Park City, Utah*, 19 FCC Rcd. 2092 (2004) (population 870).

EXHIBIT A

Freq	Call sign Channel	Spacing	Untitled Call sign ERP_W	State	City	ARN
Sep	Status Clr		Tx_Power	Serv Tx_Antenna	Class	Distance_km
100.3	KHGQ 262	70	1500.0	CA	DURHAM BLH19930920KD	A 0.00
70.00	LIC 0.0		1500	0.0 450.00000 ~ CA	QUINCY RM10548	A 59.91
100.3	262	115	0.0		CORNING RM10548	C1 63.82
115.00	APP -55.1		0	0.0 450.00000 ~ CA	CORNING RM10548	C1 63.82
100.7	264	75	0.0		SUSANVILLE RM10548	A 107.15
75.00	APP -11.2		0	0.0 450.00000 ~ CA	CORNING RMDD-135	C1 72.71
100.7	KTHU 264	75	0.0		MARYSVILLE	B 68.78
75.00	USE -11.2		0	0.0 450.00000 ~ CA	MARYSVILLE BMLH19961108KB	B 68.80
100.3	262	115	0.0		CORNING FM ALLOTMENT	B 86.13
115.00	APP -7.8		0	0.0 450.00000 ~ CA	CORNING RMDD-135	B 86.13
100.7	264	75	0.0		CORNING RMDD-135	B 86.13
75.00	APP -2.3		0	0.0 450.00000 ~ CA	CORNING RMDD-135	B 86.13
99.9	KRCX-FM 260	69	0.0		CORNING RMDD-135	B 86.13
69.00	USE -0.2		0	0.0 450.00000 ~ CA	CORNING RMDD-135	B 86.13
99.9	KRCX-FM 260	69	1750.0		CORNING RMDD-135	B 86.13
69.00	LIC -0.2		1750	0.0 450.00000 ~ CA	CORNING RMDD-135	B 86.13
100.7	KTHU* 264	69	0.0		CORNING RMDD-135	B 86.13
69.00	USE 17.1		0	0.0 450.00000 ~ CA	CORNING RMDD-135	B 86.13
100.7	264	69	0.0		CORNING RMDD-135	B 86.13
69.00	APP 17.1		0	0.0 450.00000 ~ CA	CORNING RMDD-135	B 86.13
100.7	KTHU 264	69	50000.0		CORNING RMDD-135	B 86.13
69.00	LIC 17.1		50000	0.0 450.00000 ~ CA	CORNING RMDD-135	B 86.13
100.7	264	69	0.0		CORNING RMDD-135	B 86.13

Untitled					
69.00	APP 17.1		0	0.0 450.00000 ~	86.13
100.3	KWPT 262	200	12000.0	KWPT CA	FORTUNA BLH20031121AKK C1
200.00	LIC 22.2		12000	0.0 450.00000 ~	222.17
100.5	KZZO 263	113	0.0	KZZO CA	SACRAMENTO B
113.00	USE 24.4		0	0.0 450.00000 ~	137.40
100.5	KZZO 263	113	115000.0	KZZO CA	SACRAMENTO BLH19890807KA B
113.00	LIC 24.4		115000	0.0 0.00000 OD~	137.40
100.5	KZZO 263	113	3900.0	KZZO CA	SACRAMENTO BXLH20010417AAC B
113.00	LIC 24.4		3900	0.0 450.00000 ~	137.40
100.3	KWPT 262	200	0.0	KWPT CA	FORTUNA C1
200.00	USE 25.1		0	0.0 450.00000 ~	225.13
99.7	KTOR 259	31	0.0	KTOR CA	CHESTER A
31.00	USE 35.5		0	0.0 450.00000 ~	66.54
99.7	KTOR* 259	31	0.0	KTOR* CA	WESTWOOD FM ALLOTMENT A
31.00	RSV 38.9		0	0.0 450.00000 ~	69.90
99.7	KTOR 259	31	90.0	KTOR CA	WESTWOOD BLH20030515AAX A
31.00	LIC 38.9		90	0.0 450.00000 ~	69.90

Map Header



Map Footer

State Borders Highways Lat/Lon Grid

EXHIBIT B



Hotels

Airline Tickets

Ca

YELLOW PAGES

WHITE PAGES

HOTELS

DEMOGRAPHICS

WEATHER

NATIONAL PARKS

TRAVEL PACKETS

Durham CDP, California Statistics

Subject

Number Percent

Total Population:

5,220 100.0 %

Male

2,608 50.0 %

Female

2,612 50.0 %

Under 5 years

282 5.4 %

5 to 9 years

404 7.7 %

10 to 14 years

455 8.7 %

15 to 19 years

458 8.8 %

20 to 24 years

231 4.4 %

25 to 34 years

493 9.4 %

35 to 44 years

843 16.1 %

45 to 54 years

913 17.5 %

55 to 59 years

276 5.3 %

60 to 64 years

187 3.6 %

65 to 74 years

380 7.3 %

75 to 84 years

230 4.4 %

85 years and over

68 1.3 %

Median age(years)

39 N/A

18 years and over

3,755 71.9 %

Male

1,849 35.4 %

Female

1,906 36.5 %

21 years and over

3,568 68.4 %

62 years and over

784 15.0 %

65 years and over

678 13.0 %

Male

314 6.0 %

Female

364 7.0 %

Pick State ▼

Submit

One race

5,085 100.0 %

White

4,812 94.6 %

Black or African American

7 0.1 %

American Indian and Alaska Native

41 0.8 %

Asian

32 0.6 %

Asian indian

4 0.1 %

Chinese

9 0.2 %

Filipino

6 0.1 %

Japanese

7 0.1 %

Pick State ▼

Submit

Korean	2	0.0 %
Vietnamese	3	0.1 %
Other Asian	1	0.0 %
Native Hawaiian and Other Pacific Islander	6	0.1 %
Native Hawaiian	2	0.0 %
Guamanian or Chamorro	2	0.0 %
Samoan	2	0.0 %
Other Pacific Islander	0	0.0 %
Some other race	187	3.7 %
Two or more races	135	2.7 %

White	4,937	97.1 %
Black or African American	14	0.3 %
American Indian and Alaska Native	108	2.1 %
Asian	58	1.2 %
Native Hawaiian and Other Islander	17	0.3 %
Some other race	234	4.6 %

Total Population	5,220	100.0 %
Hispanic or Latino(of any race)	469	9.0 %
Mexican	391	7.5 %
Puerto Rican	8	0.2 %
Cuban	0	0.0 %
Other Hispanic or Latino	70	1.3 %
Not Hispanic or Latino	4,751	91.0 %
White alone	4,578	87.7 %

Total Population	5,220	100.0 %
In households	5,203	99.7 %
Householder	1,914	36.7 %
Spouse	1,228	23.5 %
Child	1,672	32.0 %
Own child under 18 years	1,369	26.2 %
Other relatives	179	3.4 %
Under 18 years	62	1.2 %
Nonrelatives	210	4.0 %
Unmarried partner	91	1.7 %
In group quarters	17	0.3 %
Institutionalized population	4	0.1 %
Noninstitutionalized population	13	0.2 %

Total Households	1,914	100.0 %
Family households (families)	1,467	76.6 %
With own children under 18 years	716	37.4 %
Married-couple family	1,228	64.2 %
With own children under 18 years	572	29.9 %

Female householder, no husband present	152	7.9 %
With own children under 18 years	95	5.0 %
NonFamily households	447	23.4 %
Householder living alone	359	18.8 %
Householder 65 years and over	146	7.6 %

Households with individuals under 18 years	758	39.6 %
Households with individuals 65 years and over	476	24.9 %

Average Household size	2.72	N/A
Average family size	3.1	N/A

Total housing units	1,986	100.0 %
Occupied housing units	1,914	96.4 %
Vacant housing units	72	3.6 %
For seasonal, recreational, or occasional use	11	0.6 %

Homeowner vacancy rate (percent)	0.3	N/A
Rental vacancy rate (percent)	1.9	N/A

Occupied housing units	1,914	100.0 %
Owner-occupied housing units.	1,396	72.9 %
Renter-occupied housing units.	518	27.1 %

Average household size of owner-occupied units	2.75	N/A
Average household size of renter-occupied units	2.64	N/A

EXHIBIT C

The FORUM

VOLUME 14 ISSUE 20
May 19, 2004

"PROUDLY SERVING OUR READERS & COMMUNITY SINCE 1984" P.O. BOX 283 DURHAM, CA. 95938 530-891-1461

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Durham High School Dolphin Swim Team Senior Safe & Sober Back In The Pool Grad Night Raffle

The Durham High Senior Safe & Sober Grad Night is selling raffle tickets for a fundraiser for a beautiful *Orient and Flume* art glass paperweight that is valued over \$200.

To see this beautiful art glass paperweight on display and buy tickets, visit the Durham TH-Counties Bank on the Midway. Raffle tickets are also available at Lavender Blue across from the bank, the Spring Sports Banquet, the Senior Banquet and at Feather River Hospital. The tickets are \$1 each or 6 for \$5. The tickets will go on sale beginning Friday, May 14th through May 28th. The lucky winner will be contacted the evening of May 28th.

All the monies raised by this fundraiser will go directly to benefit the graduating Durham High School seniors at their Safe and Sober Grad Night Party on June 3rd.

The DHS (Durham High School) Grad Night Party is a good faith parent volunteer and community sponsored event and is not organized by Durham High School or the Durham PTS.

The Durham Dolphins Swim team is back in the water every afternoon preparing for the summer swim season. It's not too late to join the team. You can sign up any day after school. Just stop by the pool between 3 and 5 p.m.

The Dolphins are being coached this year by Kelli Malinowski who brings many years of swimming experience to the team. She is being assisted by Sarah Rich and Claire Lieberman.

For more information call Cathleen Grzanich at 893-3615.

DUSD Adopt-A-Book Drive Runs Through May 21

Durham Unified Schools Library Adopt-a-Book Drive is planned for April 21 - May 21. Please, HELP\$ your school's libraries! Your support is much needed!

Due to the budget cuts and a sharp reduction in our state library grant, it has been a very challenging year for the DUSD Libraries to try and keep up with the purchasing of printed materials needed to stay current. It is one thing to maintain the collection that we have already purchased, but a Library isn't solely an archival storehouse. The challenge is regularly acquiring updated information for curriculum back-up and student research.

Last year the "recapture" of our Library Grant funds put an abrupt halt to the third and final stage of the DHS library's long-term project. DUSD fell several thousand dollars short of completing both our new electronic card catalog system and the purchase of much-needed books that had been ordered.

It doesn't appear that the situation will improve for a few more years, with the state of our economy. Therefore, your three site Librarians are appealing to YOU, the community, to help out in our Book Drive for the Durham School's Libraries. Each site has made a list of needed books, you may donate a used book from the list, purchase a new book to donate from the list or donate money to the school library of your choice for them to make the purchases.

You may contact Cindi Williams at the High School Library at 895-4685 ext 231, Betsy Leverenz at the Intermediate Library at 895-4684 ext. 245, or Patti Patterson at the Elementary Library at 895-4697 ext. 236. With your help, we CAN make a difference for our students!

from The Midway An Editorial Commentary

Countdown To 20 Contest Nearing End

Many local readers have been saving their issues of The Forum since December 31, 2003 in hopes of qualifying for the 20th Forum Anniversary Contest \$100.00 prize to be given away after the June 30th issue. That issue will mark not only the 20th year of our publication but it will also be the 1,040th weekly local issue published covering local news and sports.

In the event you are still unsure about what you have to do to qualify for the \$100.00 prize—here's the official scoop! To qualify for the prize entrants must clip the front date notice from page one of each Forum issue (including the work The which appears above that date) between January 7th and June 30th. That means there are 26 such dates that must be clipped and placed into an envelope to submit the week after the June 30 issue. These envelopes will be submitted to The Forum. In the event that multiple entrants have all 26 such dates clipped, the tiebreaker will be the date of the last clipping from the December 31, 2003 issue (we warned readers of that fact at the very beginning of the contest). If more than one entrant has all 26 clippings as well as the tiebreaker clipping then all qualifying entries will be placed into a blind drawing with the ONE lucky winner drawn at random. Just think, for a mere minute or two each week until June 30th you could be \$100.00 richer before the 4th of July!

An official entry form will be published in June detailing the procedure for entering the clipping into the contest. In the meantime, keep clipping the Volume, Issue and Date Notice (including the word The appearing above it from the front page of every issue between January 7, 2004 and June 30, 2004 (and don't forget the first tiebreaker issue of December 31, 2003).

The Countdown to 20 continues!

IN SILENT TRIBUTE



SEPTEMBER 11, 2001



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THE SENIOR FORUM: Wellness

by Kent S. Collins
Tribune Media Services

DEAR SENIOR FORUM: My husband died within an hour of arriving at a local hospital. He was having chest pains. Later, when I described the sloppy treatment in the emergency room, one of my neighbors — a lawyer — suggested I quickly write on my computer what happened. In the fog of my grief, I forced myself to remember and to write. It was therapeutic. I soon had written several pages.

I did not want to sue the hospital or anyone else. But I did want to save someone else from going through what I did with both the hospital and with the doctor. And I knew my husband would have wanted me to at least make some noise about how badly things were handled at the hospital. A malpractice lawyer suggested I file complaints with the state licensing boards against the doctor and the hospital.

A year after my husband died, I got the results of my complaints. The doctor — as best as I could understand the report — got a reprimand for poor judgment. The hospital rectified several problems — things like a locked emergency room door and staff not properly trained.

The lengthy complaint forms were easier to fill out since I had my pages of notes. I sensed that the information I provided added credibility to my claim. Later, one investigator implied that the details I provided helped ferret out the wrongdoing at the hospital. —C.C., via email

DEAR MRS. C.C. and all readers with hospital emergencies in their future:

This is a complicated matter for families, the medical community and our economy. It is right to try to right wrongs. But fixing things costs money — which is charged back to the users of medical care.

Malpractice insurance policy premiums are one of the factors driving up the cost of medical care, which is handicapping individuals and the Medicare program.

You, Mrs. C.C., were smart to take the lawyer's advice and write about the specific circumstances of your husband's death while the details were still fresh in your mind.

Of course, sometimes recollections can be exaggerated in moments of intense grief. You ended up writing "several pages." You found the exercise "therapeutic." Maybe you naturally and understandably mixed emotion into the recollections.

Still, it was those pages you wrote that allowed you to do a more complete report to those state medical review boards.

There is a sense of checks and balances in human nature and in our society. If hospitals and doctors know you are taking notes, then they may be more exacting in

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their work. That cuts both ways, of course. Studies have shown that doctors may sometimes call for additional tests and procedures that both delay actual treatment and run up the cost of care.

As written here before, partners, family members and friends should take notes moments after medical personnel take over. The notes serve several purposes.

First, they help the family in the waiting room keep track of procedures and progress. Thus they can better determine if the treatment delivered seems adequate, and they can ask better questions. This is especially helpful if the family is asked to choose between treatment options. Note-taking is part of the care process.

Second, notes also help to communicate with family and friends who visit or call.

And, third, notes taken during a medical episode — especially a person's last one — can be important recollections for family to read immediately and forever.

One last worry: Will that malpractice lawyer now use the state investigator's report to encourage you to file lawsuits against the hospital and doctor? That's another "cut both ways" aspect of the matter: You have the right and may have the need for our society's economy pay for it.

(Send letters and comments to The Senior Forum c/o Tribune Media Services, 2225 Kenmore Ave., Suite 114, Buffalo, NY 14207, or e-mail seniorforum@mchsi.com)

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Letters to the editor and all articles must be submitted no later than Fridays at 5:00 p.m. to be considered for the next week's edition. Letters shorter than 200 words receive priority and publication will depend upon space available as determined by publisher. Management reserves right to withhold publication of any letter. Letters should be typed and double spaced and must include sender's name and phone number. Letters may be published with consent of publisher without name appearing but no letter or article will be printed that does not have the name of the author and telephone number attached at time of submission. Letters and articles should be sent to: The FORUM P.O. Box 203, Durham, CA 95938 or dropped off in The FORUM news Box located at 2372 Faber Street in Durham. Class Ad deadlines are noon on Saturday for following issue. Photos must be received at least 10 days prior to date of publication.

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Durham High School Safe & Sober Grad Night Class of 2004

Durham High School, parent sponsored Safe and Sober Grad Night 2004 would like to thank those who have donated to the Class of 2004. It is our goal to provide a safe and fun-filled night of activities for the graduates. We are still in need of cash and gift donations from businesses, family and friends.

Make Checks Payable To:
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Durham, CA 95938

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For Information Call:
Jodi Bechhold 342-0501
Please Note:

The Durham High School Safe & Sober Grad Night Party is a good faith, parent volunteer and community sponsored event and is not organized by Durham High School or the FHS.

Macintosh Chico User Group Meets Thurs.

The Macintosh Chico User Group will meet Thursday, May 20 during their regular monthly meeting at the Masonic Family Center, 1110 W. East Ave. in Chico. The group meets the third Thursday of each month from September thru June.

The General Meeting begins at 7:30 p.m. with Novices and SIOs gathering at 6:30 p.m. The group was formed to bring educational information about Macintosh computers to those interested in learning more about the Macintosh and related software.

This month, Tom Negrino and Dori Smith, authors of Mac OX X Unwired from O'Reilly Publishing, will speak about their book. There is no charge for visitors and membership is only \$25.00 per year.

For more information contact Bill in Chico at 893-5049 or Sid in Oroville at 534-3229.

Is Your Child Water Safe?

Swim Lessons Save Lives:

According to the American Red Cross, drowning is the fourth most common cause of death from unintentional injury in the United States. Drowning is also the second leading cause of deaths due to unintentional injuries among children and young adults. Since 1979 we have lost roughly 5,000 people each year to death by drowning. Most people drown in calm protected waters, rather than in rough/open waters which has been the traditional view.

To combat these alarming facts, the Durham Recreation and Park District is actively engaged in a program to reduce the risk of accidental drowning by promoting American Red Cross certified Water Safety Instruction. Most people tend to take the water for granted or assume because there is a lifeguard on duty, that their child is safe. Help take steps to prevent lifeguards from needing to make a save by ensuring your child is comfortable in water and confident in their swimming techniques. The Durham Recreation and Park District will be offering five sessions of swim lessons this summer at the Dwight Brinson Swim Center. It is \$25 for group lessons or \$64 for Private Swim Lessons. For dates and times please call D.R.P.D at 345-1921 between the hours of 8-5pm.

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Matthew 5:7

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Section Softball Playoffs Conclude

The top seeded Durham Lady Trojans drew a bye in the first round of the section playoffs and the two week layoff left them a little rusty when they faced Wheatland in the semi-finals. Both teams left two runners stranded in the first frame—all had reached the singles: in the next inning both teams scored a pair of runs. A walk, single, error and a couple of fielder's choices gave the Pirates their 2 runs. On the first FC third sacker Amanda Henry's throw nailed a runner at the plate, the second by pitcher Laurel Carstensen also appeared to get the runner but catcher Shannon Suschil didn't get the call. The Trojans quickly answered—Haley Ortel singled and Katie DeLuca was plunked by a pitch then Amanda Matthews lifted a 2 for double over the left fielder to tie the game.

The game remained knotted at 2 until the 7th and final frame. With 2 outs in the top half the Pirate first baseman blasted a triple to deep centerfield then the pitcher hit her third single driving in the winning run. DeLuca led off the bottom half with a single, after two strikeouts Erin Fleming hit a 1-2 pitch up the middle to put the winning run on first, but a pop up ended the game. Both teams had other opportunities—the Pirates left 8 runners on base while the Trojans stranded 7. Carstensen pitched a solid game allowing 7 hits striking out 4 and walking 1. The Trojans collected 8 hits with Matthews and Suschil accounting for 2 apiece. Durham finished the season with a 17-4 record, one game short of their third championship appearance.

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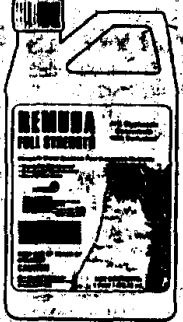
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2004 May Day Parade Races

The venue, Durham Community Park. The event, the historic and time honored tradition of the May Day races. The competition, an unprecedented event full of drama and excitement, encompassing the thrill of victory and the agony of the feat! The event drew together some of the greatest athletes spanning the entire town! The competitors, who took great pride in representing their county, worked day and night honing and perfecting their skills for such events as the three legged race and the incredibly grueling sack race. Following is a list of our potential Olympic medalists from each event:

50 YARD DASH: *Preschool:* Gold-McKensie Paddock, Silver-Megan Hussa, Bronze-Madison Lowe. *Kindergarten Girls:* Gold-Devon Delbo, Silver-Megan Hussa, Bronze- Sophie Rouse. *Kindergarten Boys:* Gold-Jack Argo, Silver- Brady Glover, Bronze- Joseph Murphy. *1st Grade Girls:* Gold-Bailey Larson, Silver- Bethany Cook, Bronze- Amber Martin. *1st Grade Boys:* Gold- Eric Olson, Silver-Joshi Compton, Bronze-Ryan Duke. *2nd Grade Girls:* Gold- Madison Schell, Silver- Erica Larson, Bronze-Amy Sandoval. *2nd Grade Boys:* Gold-Doug Martin, Silver-Ryley Haugh, Bronze-Davis Johnson. *3rd Grade Girls:* Gold-Cypress Lampe, Silver-Lauren Grant, Bronze-Rachael Cook. *3rd Grade Boys:* Gold- Conner Mulholland, Silver- Matt Boles, Bronze-Ross Bradford. *4th Grade Girls:* Gold-Kody Adkins, Silver-Jessica Pyle, Bronze-Madison Pollak & Erica Hehnenman. *4th Grade Boys:* Gold-Jason Tareash, Silver-Mark Grzanich, Bronze-Garrett Spangler. *5th Grade Girls:* Gold- Rachael Wood, Silver-Jessica Pyle, Bronze-Alyssa Worley. *5th Grade Boys:* Gold-Daniel Hodge, Silver- Tim Starkey, Bronze- Austin Huddleson. *6th Grade Girls:* Gold-Sally Grant, Silver-Casey McHargue, Bronze- Tracy Walters. *6th Grade Boys:* Gold-Kyle Fales, Silver- Brett Patheal, Bronze-Travis Haugh. *7th Grade Girls:* Gold-Devon Larson, Silver-Leah Tareash, Bronze- Jessica Martin. *7th Grade Boys:* Gold-Jayne Lee, Silver- Logan Green, Bronze-Jordan Hofer. *8th Grade Girls:* Did Not Participate. *8th Grade Boys:* Gold-Noll Adkins, 2nd & 3rd: Did Not Participate. *High School Girls:* Gold-Hagen Adkins, Silver- Linsey Ward. *High School Boys:* Gold- Ty McDaniel, Silver-Ryen Godsil, Bronze-Deric Strick. *Adult Women:* Gold-Jean Adkins, Silver-Melissa Cook, Bronze-Amy Beller. *Adult Men:* Gold-Brian Dowd, Silver- Keith Dowd, Bronze- Kaven Beller. *Seniors:* Gold-Mel Farrell, Silver-Patricia Ruth.

SACK RACES: *Pre-School:* Gold-Hayden Lampe, Silver-Melissa Ford, Bronze-Monet Delbo. *Kindergarten Girls:* Gold- Devon Delbo, Silver-Sophie Raus, Bronze- Heidi Johnson. *Kindergarten Boys:* Gold- Jayson Lee, Silver-Brady Glover, Bronze-Marcus Larsen. *1st grade Girls:* Gold-Bailey Larson, Silver-Bethany Cook, Bronze-Amber Martin. *1st Grade Boys:* Gold-Cameron Petterson, 2nd & 3rd Did Not Participate. *2nd Grade Girls:* Gold-Erica Larsen, Silver-Elsie Harry, Bronze- Jessica Libby. *2nd Grade Boys:* Gold-Doug Martin, Silver- Aaron Fales, Bronze- Steven Hansen. *3rd Grade Girls:* Gold-Loren Grant, Silver- Cypress Lampe, Bronze- Laura Lampe. *3rd Grade Boys:* Gold-Alexander Robertson, Silver-

Ray Walters, Bronze- Kadin Beller. *4th Grade Girls:* Gold-Kody Adkins, Silver- Jordan Mootz, Bronze-Madison Pollak. *4th Grade Boys:* Gold- Mark Grzanich, Silver- Jason Tareash, Bronze- Garrett Spangler. *5th Grade Girls:* Gold-Sandra Peters, Silver-Rachel Wood, Bronze-Katie Bradford. *5th Grade Boys:* Gold-Daniel Hodge, Silver- Tanner Pisenti, Bronze- Tim Starkey. *6th Grade Girls:* Gold- Casey McHargue, Silver- Tracy Walters, Bronze- Ashley Pollak. *6th Grade Boys:* Gold- Erin Patheal, Silver-Brett Patheal, Bronze- Kyle Pales. *7th Grade Girls:* Gold- Devon Larsen, Silver- Cala Royal, Bronze-Jessica Martin. *7th Grade Boys:* Gold-Jamie Lee, Silver- Logan Green. *8th Grade Girls:* Gold- Loren Shanks, Silver- Amanda German, Bronze-Heather Rockwood. *8th Grade Boys:* Gold-James Tuel, Silver-Nolan Adkins, Bronze-Billy Edsall. *High School Girls:* Gold-Hagen Adkins, Silver-Arielle Hofer, Bronze- Lindsay Ward. *High School Boys:* Gold- Ty McDaniel, Silver-Ryan Godsil, Bronze-Deric Strick. *Adults:* Gold-Kevin Beller, Silver- Bryan Dowd, Bronze-Laura Delbo.

3 LEGGED RACE: *Pre-School:* Gold-Jayson & Kevin Beller, Silver-Ryen Pemmendez & ???, Bronze- Moet & Laura Delbo. *Kindergarten Girls:* Gold-Sophie May & Brian, Silver-Devon & Laura Delbo, Bronze-Heidi & Lisa Johnson. *Kindergarten Boys:* Gold- Marcus Larson & Brian, Silver-Brady & Brian Glover, Bronze- Jayson & Sheri Lee. *1st Grade Girls:* Gold-Cambrea & Kevin Beller, Silver-Bailey & Eric Larson, Bronze- Bethany & Melissa Cook. *2nd Grade Girls:* Gold- Erica & Eric Larson, Silver- Calsey & Harry Wayne. *2nd Grade Boys:* Gold-Erica Pales & Heather, Silver-Doug & Doug Martin Sr., Bronze-Davis & Greg Johnson. *3rd Grade Girls:* Gold-Lauren Grant & Kathy, Silver-Rachel & Melissa Cook. *3rd Grade Boys:* Gold-Kadin & Brian Beller, Silver-Ross & Shawn Bradford. *4th Grade Girls:* Gold-Kody & Jean Atkins.

4th Grade Boys: Gold-Garrett & Debbie Spangler, Silver-Mark & Dahl Grzanich, Bronze-Bradley Hall & Scott Spangler. *5th Grade Girls:* Gold-Alysa & Kathy Worly, Silver-Kathie & Shawn Bradford, Bronze-Laura & Anne Boots. *5th Grade Boys:* Gold- Morgan Green & Brian. *6th Grade Girls:* Gold-Sanelle Beller & Amy, Silver-Claire & Dan Grzanich. *6th Grade Boys:* Gold-Brett Patheal & Heather, Silver-Kyle & Pam Pales, Bronze- Aaron Pathal & Scott Pales. *7th Grade Girls:* Gold-Megan & Dan Godsil, *8th Grade Boys:* Gold-Nolan & Jean Atkins. *High School Boys, Girls, & Mixed:* Gold- Monica Fleming & Ariel Hofer, Silver-Deric Strick & Ty McDaniels, Bronze- Brett Patheal & Heather Sander. *Adults:* Gold- Brian & Amy Beller.

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Trojan Trackers

Continue Track Success

JMV League Meet, Friday May 14, 2004

Jutte College **10 a.m. Field Events **11 a.m.

Running Events

Results: Durham, East Nicholas and Pierce - May 5

The Durham High Trojans continued with their league successes by winning three of the four divisions last Wednesday. Varsity Boys won the meet with 69 pts., East Nicholas 47 and Pierce 37. Freshman Matt Boyle had two first place finishes; the mile @ 5:10 and the 880 @ 2:25.4 Jeff Prentice was first in the 440 @ 5.5 and second in the 100 @ 12.0. Other first place finishers include Huh Ngo in the Triple Jump @ 37'6", Robert Nagle in the 330 H @ 45.4, Trevor Morgan in the 2 mile @ 11:49.7 and both relay teams.

Varsity Boys Place Finishers: 120 yd. Hurdles: Drew Spafford 2nd 18.1; Mile Run: Boyle 1st, Morgan 2nd @ 5:12, Matt Merritt @ 5:15, Triple Jump: Huh Ngo 1st 37'6", 440 yd. Run: Prentice 1st, 100 meters: Prentice 1st, Jordan Courtain 3rd @ 12.2, Spafford 4th @ 12.4; 30 yd. run: Boyle 1st, Brian Adams 2nd @ 2:25.8, Shucraft 5th @ 2:47.2

10 hurdles: Nagle 1st; 220 yd. dash: Jim McNulty 1st, Adams 4th; High Jump: Jim McNulty 3rd 5'2" Long Jump: Ngo 3rd @ 17' 4 1/2".

Varsity Girls also took first with 61 points, East Nicholas 48, Pierce 36. Freshman Hagen Atkins looked strong winning three events; mile run NT, 440 @ 65.5, and the 2 mile @ 12:53.1. Kaitlyn Shorrock took first two events, the 100 m hurdles in 18.5 and the Long mp @ 13' 8".

Varsity Girls Place Finishers: Mile run: Atkins, Anne entice 2nd, Lindsay Ward 4th and Megan Shorrock 1.

10: Atkins; Long Jump: K Shorrock Triple Jump: K. Shorrock 2nd @ 28' 2", Jenny Johnston 4th @ 24' 8; 2 le: Atkins, Anne Prentice 2nd @ 14:00.3, Ward 1 @ 15:07.8

Boys JV's won their first meet of the season led two firsts from Samer Khalil. Khalil won the HJ @ 6' and the 220. Last weekend at the Coming rotational, Khalil won the High Jump clearing 5' 11"

narrowly missing 6'. Max Strubble won the mile @ 5:57.5, Ryan Godsil won the 2 mile @ 13:57.9 and placed 3rd in the 440 @ 61.4. Priam Roberts placed first in the 880.

Place Finishers: Mile Run: Strubble; 440 yd Run: Jake Hall 2nd 60.9; Godsil 3rd, Wyatt Chase 3rd. Triple Jump: Jake Hall 2nd 33' 4", 880 yd. run: Roberts 1st; Long Jump: Tyler Molin 2nd @ 14' 5"; Discus: Jordan Gobel 2nd 98' 3", Wyatt Chase 4th 80' 4 1/2", Byron Pierce 5th 78' 4"; 220 yd. dash: Khalil 1st, J. Hall 3rd 26.6, Molin 4th 27.1; Shot Put: Shane Lezzeni 2nd 38' 3", Gobel 3rd 37' 9", Pierce 5th 34' 6".

Varsity JV Girls finished 2nd behind Pierce. Durham had two first place winners, Kelly Johnson in the 330 hurdles 65.0 and Allie Lezzeni in the Shot Put 27' 11 1/2".

Place finishers: Discus: A. Lezzeni 2nd 62' 2 1/2"; 100 yards: Rachel King 3rd 13.7, Sara Spafford 4th 16.1; 220 yards: King 3rd 33.0.

Additional results from early meets to be printed at a later date.

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Section Baseball Playoffs Now Over

The Durham High Trojans spent more time on the bus than on the field during the Division 3 Section Playoffs. First, they traveled to Mt. Shasta then to Rio Vista and finally way up to Modoc—that's over 20 hours on the road.

Durham beat Mt. Shasta 6-2 in the first round then edged Rio Vista 5-4 in a marathon 12 inning semi-final game. Ken Houser pitched 10 strong innings (the CIF weekly limit) backed by a tight Trojan defense. The Rams got a run in the 4th but the Trojans got it back in the 6th when Chris Bradley singled and scored on Jared Votaw's liner to center. Miramontes took over at the mound for a scoreless 11th, then Durham broke the game opening the 12th tallying 4 runs. After Rob Houser and Ben Severe singled Bradley doubled them in. Miramontes drew a walk, Votaw knocked in Bradley and Brian Horn's sacrifice fly plated Miramontes.

With a 5-1 lead the Trojans let their guard down and several hits, a hit batter, a walk and errors gave Rio 3 runs. With 2 outs and 2 on a grounder to third was fielded by Jake Jones but his throw pulled Horn off first base. Horn then fired the ball to Miramontes who nailed the tying runner at the plate to end the game. Durham banged out 13 hits. Bradley led the hit parade with 3, Votaw and Miramontes each had a pair.

The win put Durham in the championship game at two-seed Modoc. The Trojans opened with a fun in the first frame on singles by Votaw, Horn and Jones. But the Braves answered with 3 runs including a 2 run shot that probably wouldn't have left Durham's yard. The Trojans picked up another run in the 3rd when Bradley was plunked by a pitch, worked his way to third and scored on a catcher's interference play. Durham added 2 more runs in the 5th frame on Votaw's 2 run homer chasing in Bradley to take a 4-3 lead. The Trojans loaded the bases in the 7th but failed to score. Modoc tied the game with a single and double then the next batter hit a walk-off homer for the 6-4 victory and the Section title. Votaw pitched the complete game for Durham, giving up 9 hits. He also got 3 of the Trojans 10 hits, scored 2 runs and drove in a pair. Horn went 2x2 at the plate. Durham finished the season with an 11-7 record.

Trojan Track & Field

Durham hosted the Greater Mountain Valley League Championships last Friday at Butte College with Carol Hall making the arrangements and serving as clerk of the course. Mark Morgan was the starter and Jean Atkins was the head timer organizing the finish line crew of parents and students.

The Trojan boys won the league title and the girls finished a close second. The top two places in each event qualified for the Division 3 Section Championships this Friday at Yuba College.

Durham Recreation & Park District Program Update

No Summer School? No Problem!

Durham Recreation & Park District has the answer! Don't miss out on the opportunity to have your child enrolled in three programs guaranteed to enrich their minds and bodies. Choose from either our traditional summer camp program or pick between having your child involved in D.R.P.D.'s Educational Enhancement course or Elevation Basketball Camp.

EDUCATIONAL ENHANCEMENT

provides 3 weeks of classroom instruction from a California credentialed teacher from the hours of 8:00 a.m.-12:00 p.m. This three-week course is designed to offer students a variety of educational skill building strategies to enhance their knowledge base and prepare them for the challenges of next school year. Children going into grades 3-5 are eligible for this class, which will go from June 14th-July 1st and be held on school campus. The cost for the three weeks of instruction is only \$90.00, so sign up today!

ELEVATION BASKETBALL CAMP

is designed to prepare themselves to play competitive basketball down the road. From footwork to shooting skills, sign your child up for a basketball camp that guarantees growth! Camp coordinator Aerin Farrell and his staff have coached competitively at the junior high and high school levels and are offering their basketball knowledge to your child. The camp will run from 8 a.m. to 3 p.m. and will feature 5 hours of basketball instruction followed by 2 hours of swimming. The camp will run from June 14th-June 18th and will be held in Durham Intermediate School Gym. It's only \$80.00 for five full days of camp experience and your child will receive an Elevation Basketball Camp T-shirt.

D.R.P.D. SUMMER CAMP-

Come join the fun at our great new summer camp. A fun filled day camp experience for boys and girls entering grades K-6 in fall 2004. We have 11 weekly sessions to offer throughout the summer packed with new and exciting themes. All-day and half day participants will receive a camp T-shirt. For more information on times and dates come by the office or check out our activity guide.

TENNIS INSTRUCTOR

D.R.P.D. is seeking a quality Tennis Instructor for Spring/Summer tennis programs. If interested please contact D.R.P.D. @ 345-1921

BIRTHDAY PARTY PACKAGES

We are now offering a variety of party packages for your birthday needs. Package options include the use of Community Park facilities or the Dwight Brinson Swim Center, and the ever popular, "Build Your Own Birthday" package. For more information pick up one of our flyers at the office.

Taste of Home's...

Light & Tasty Annual Recipes 2004

CUTTING BACK on fat and calories? You're not alone. Many of us are trying to eat healthier—and *Taste of Home's Light & Tasty Annual Recipes 2004* can help.

This new cookbook collects all 518 of the light-done-right recipes from *Taste of Home's Light & Tasty* magazine's 2003 issues.

The popular publication promotes a commonsense approach to calorie-wise eating, offering great-tasting recipes with lighter ingredient choices.

In *Taste of Home's Light & Tasty Annual Recipes 2004*, every recipe is packed with great down-home flavor. All are lean on fat and calories, but the taste is still there. These recipes have just been lightened up a bit, with less cholesterol, sodium and the like.

Each dish has been reviewed by a registered dietitian and includes a Nutritional Analysis, plus Diabetic Exchanges where appropriate. More than half of the recipes are shown in full color. The "Beefed-Up Main Dishes" chapter confirms that you don't have to leave meat behind for a healthy diet. It highlights 22 meaty main courses, such as Vegetable Beef Stew, Sirloin with Mushroom Sauce and Garlic Ginger Beef.

Among the 59 recipes in the "Chicken & Turkey Entrees" chapter are Crispy Baked Chicken, Turkey Lasagna Roll-Ups and Tomato-Basil Chicken Spirals.

Another chapter proves that meatless can be mouth-watering with delicious suggestions like Mostaccioli Bake, Roasted Veggie Sandwiches and Four-Cheese Spinach Pizza!

Don't Count Out Desserts

Yes, desserts can be part of lighter eating! *Taste of Home's Light & Tasty Annual Recipes 2004* includes a "Dazzling Desserts" chapter with 69 treats, including Chocolate Chip Cheesecake, Warm Blackberry Cobbler, Maple Pumpkin Pie and Fudgy Brownie Cookies.

Still more recipe-packed chapters focus on snacks...breads...side dishes...soups...breakfast...seafood...pork...salads...and complete menus for special occasions and weekday family dining.

Plus, the editors suggest 27 more menu plans, each featuring at least two recipes from the book, as well as suggestions for side dishes, desserts and beverages to round out those meals.

With *Taste of Home's Light & Tasty Annual Recipes 2004*, healthy eating the whole year through has never been easier...or more enjoyable!

Taste of Home's Light & Tasty Annual Recipes 2004, a 288-page, 8-3/8" x 11-1/8" hardcover book (ISBN: 0-89821-405-X) published by Reiman Publications, is available for \$29.99. To order, send payment (plus \$3.95 shipping/insured delivery for one book, \$4.50 or two or more) to: Country Store, Suite 6643, P.O. Box 990, Greendale WI 53129-0990. Credit card orders, call toll-free 1-800/558-1013. Specify item number 33269.

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SELLING YOUR HOUSE
 By Pam Liu
COLDWELL BANKER
Make-Housing Changes
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 [] TWO WEEKS \$8.00 for 30 words/less
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 Add 15 cents for each additional word per week above 30 words.
PAYMENT MUST ACCOMPANY AD
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MAGICWORD

HOW TO PLAY: Read the list of words. Look at the puzzle. You'll find these words in all directions—horizontally, vertically, diagonally, backwards. Draw a circle around each letter of a word found in the puzzle, then write it off the list. Cloning it will show a letter has been used but will leave it visible. Cloning it also form part of another word. Find the big words first. When letters of all listed words are circled, you'll have the given number of letters left over. They'll spell out your MAGICWORD.

WHAT'S IN YOUR FOOD?

(sol: 11 letters)
A-Acids; C-Calcium; Calories; Carbohydrates; Citric; Copper; Corn syrup; Curcumin; E-Enzymes; Extracts; F-Fiber; Flour; Folic acid; G-Grain; Grams; I-Iron; K-Kaoline; M-Maltol; N-Niacin; Nisin; Nutrition; O-Oxides; P-Potassium; Protein; R-Riboflavin; Rice; S-Salt; Sodium; Soybean oil; Starch; Sugar; T-Thiamin; V-Vitamin; W-Water; Wheat; Whole oats; Z-Zinc

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COOKING UP A Taste of Home



Summer Fruit Salad

A TANGY cream cheese dressing makes Summer Fruit Salad uniquely refreshing.

Among the winning recipes in *Taste of Home's* Picnics and Potlucks Contest, it was entered by James Korzenowski of Dearborn, Michigan.

James says, "Whether served as a salad or dessert I've found it a big hit at gatherings."

SUMMER FRUIT SALAD

PINEAPPLE CREAM CHEESE DRESSING:

- 1/3 cup sugar
- 4 teaspoons cornstarch
- 1/4 teaspoon salt
- 1 cup pineapple juice
- 1/4 cup orange juice
- 2 tablespoons lemon juice
- 2 eggs, lightly beaten
- 2 packages (3 ounces each) cream cheese, softened

SALAD:

- 2 cups sliced fresh strawberries
- 2 cups pineapple tidbits
- 1-1/2 cups seedless green or red grapes, halved
- 1-1/2 cups diced peaches or nectarines
- 1 cup fresh blueberries or raspberries
- 1/4 cup sugar

Leaf lettuce

In a small saucepan, combine the sugar, cornstarch and salt. Stir in the juices until smooth. Bring to a boil; cook and stir for 2 minutes or until thickened. Remove from the heat. Stir a small amount into the eggs; return all to the pan, stirring constantly. Cook and stir until mixture reaches 160° and is thickened. Remove from the heat; cool slightly. In a small mixing bowl, beat cream cheese until smooth. Add juice mixture; mix well. Cover and refrigerate overnight.

In a large bowl, combine the fruit. Sprinkle with sugar; toss to coat. Cover and refrigerate overnight. Serve in a lettuce-lined bowl with the dressing.

Yield: 8 servings.

Each issue of *Taste of Home*, a friendly, full-color food magazine, includes over 85 taste-tempting recipes. For a sample copy, send \$2 to *Taste of Home*, Suite 4321, PO Box 990, Greendale WI 53129-0990. Visit our Web page at www.tasteofhome.com.

Broom Hilda

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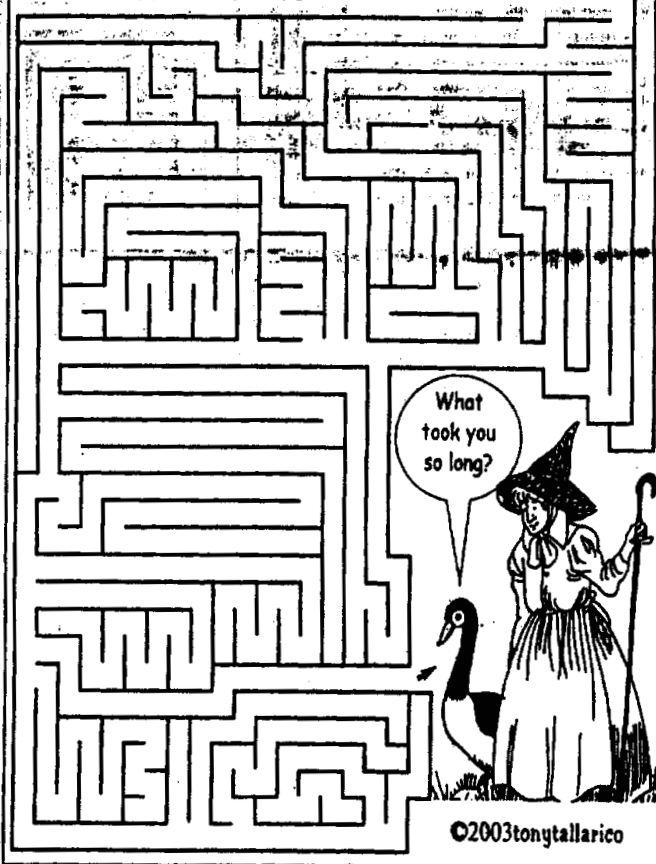


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A LOOKIE!



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This Week's Answer: **INGREDIENTS**

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CERTIFICATE OF SERVICE

I, Molly M. Parezo, a secretary in the law offices of Koerner & Olender, P.C., do hereby certify that a copy of the foregoing **"Comments and Counterproposal"** was served this 24th day of June, 2004, via first class mail, postage prepaid upon the following:

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Molly M. Parezo